

REMARKS

Claims 1-20 are currently pending. The Examiner has generated a Final Office Action in which the Examiner withdrew the rejection under 35 USC §102(e) as being anticipated by the West patent and provided new grounds for rejection, rejecting Claims 1-20 as unpatentable over West in view of Blakeley. For the reasons set forth below, Applicants respectfully submit that Claims 1-20, as amended herein, are patentable over the cited prior art.

The present invention teaches and claims a system and method for multicasting a user retrieval request/query to a plurality of mobile retrieval agents for information gathering. Based on the user-entered retrieval request and preferential destination information, a list is dynamically created comprising more than one mobile agent as destinations that can respond to the request. The user does not specify a single destination, but issues a request with preferential destination information. The system/method performs the determination of to which mobile agents can respond to the retrieval request and then multicasts the retrieval request to the determined destinations for those mobile agents to respond to the retrieval request. The claim language has been amended to expressly recite the step of dynamically creating a list of destinations that can respond to the retrieval request.

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Under the present invention, the user does not specify the destination (i.e., the identity or the address of the recipient of the retrieval request) or a plurality of pre-registered subscriber destinations (e.g., the West rings of trust). Sending a request to a mobile agent is not simply communicating a message to a recipient destination. Clearly when Applicants are teaching and claiming determining mobile agents to receive retrieval requests, Applicants are not simply referring to fixed addresses at which to deliver messages. Rather, the user inputs the message and preferential destination information. The present system then uses the preferential destination information to determine mobile agents which can respond to the retrieval request. In addition, the present invention can use message policy information when determining the mobile agents that will receive the requests, thereby allowing agent priority considerations to be factored into the determination.

In contrast, the West patent is directed to a method and system for choosing a communication access method and access number for a remote computer to access a single identified destination, either a single specific local computer or a single specific local area network (Col. 24, line 53) in a first embodiment, or to deliver a message to a message module representing a predetermined group of registered subscribers (Col. 25, lines 14-16) in a second embodiment. West discloses software for determining an access path and the cost of accessing

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along the path in order to connect one computer to an identified destination(s) in the least expensive manner.

The West patent is not directed to multicasting a retrieval request to mobile request handling agents for responding to the retrieval request. Rather, West seeks only to connect one user computer 100 to one user-specified destination 110 in the first embodiment and to deliver one message from a user computer 100 to a delivery module representing a plurality of preregistered subscribers in the second embodiment. In both embodiments, the user in the West system does not enter preferential destination information for multicasting a retrieval request to a plurality of destinations/agents which are unknown to the user. Rather, the West user simply identifies the exact destination(s) or the exact ring of trusted preregistered recipients and the West software determines the best and cheapest way to connect the user computer to that exact single destination in the first embodiment and the best and cheapest way to deliver the message to a message delivery module accessible by registered users in the second embodiment.

In the first West embodiment wherein one user computer 100 is being connected to one destination computer 110, exact identification and/or address information is provided by the user. Applicants refer the Examiner's attention to the teachings found in Column 6, lines 8-11 wherein it is expressly taught that the user enters "calling to" information to identify the

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destination computer to which the user wishes to be connected. There are no passages in West which either teach or suggest that a user be connected to a destination which is not expressly identified by the user. The West system evaluates different paths and access providers for establishing the connection between the user at 100 and the destination at 110, but the destination is definitive as specified by the user and cannot be changed or "selected" by the system. West evaluates and selects access paths/providers but does not evaluate and select mobile agent destinations. Clearly the teachings of West wherein the user specifies the address for the recipient do not anticipate the invention as claimed.

Furthermore, with regard to the West embodiment wherein messages are provided from a message user 1805 to multiple message recipients, Applicants note that the message recipients are preregistered with the system (see: Col. 25, lines 14-16). Therefore, the recipients (or destinations) are known to the system. While a user does not have to specify the address of each recipient, the recipients are known destinations which are registered with the system and are not destinations which are dynamically determined by the system based on preferential destination information supplied by the user with a retrieval request and/or based on a messaging policy. West teaches that messages will be published to "appropriate recipients" based on so-called "message characteristics" (see: Col. 23, line 55-Col.

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6, line 3). Those message characteristics include recipient characteristics (i.e., subscription information) as well as predefined content classes (see: Col. 24, lines 10-18) which are specified by the user. In other words, the user of the West system who wishes to send a message will select a predefined characteristic, such as "accounting message" (see: Col. 24, lines 22-26). The West system then matches the message characteristic with the subscription information (Col. 24, lines 43-47) and delivers the accounting message to the predetermined list of all subscribers who are registered to receive accounting messages. West does not, however, dynamically assemble a list of mobile request handling agent destinations. West simply accesses a predetermined registration list of destinations. Moreover, West does not utilize user destination preference information for which mobile agents will receive a retrieval request. West simply matches the user-selected predefined characteristic (e.g., accounting message) to the stored list. In addition, the West delivery of content-specified messages to content-registered subscribers is not the same as or suggestive of the claimed sending of retrieval requests to mobile request handling agents which have been dynamically selected for inclusion on the destination list.

The Examiner has stated that the West "user can choose from a "pull down" list of names" and cites several passages. Applicants have reviewed the cited passages from Col. 4, line JA998-075

56-Col. 5, line 56; Col. 7, line 13-Col. 8, line 60, and Col. 25, line 3-Col. 26, line 65 and fail to see where West is teaching the list of names of destinations that can respond to the retrieval request. The only West passages which teach presenting a list of destinations to the user provide that the list includes destinations which the user has previously contacted. Clearly such is not the same as or suggestive of dynamically creating a list of destinations which can respond to a specific request, wherein the list is created by the system based on the request and on the non-address preferential destination information provided by the user. When the West user selects from a list, it is a list of destination addresses (i.e., telling the system exact destination addresses) and is not based on a retrieval request. Furthermore, it is the West user who selects the sites to receive the message and it is not the system which dynamically creates the list and multicasts the message to the sites.

The Examiner has acknowledged that the West patent "does not specifically disclose a non-address destination information in the message". The Examiner cites the Blakeley patent as providing non-address destination information. What the Blakeley patent teaches is routing a packet which includes a Naming and Address Parameter String (NAPS). The identification of the destination node may be included (Col. 2, line 19) in the packet, as well as information including (Col. 3, lines 39 and 46-47) the node id of the destination node, the agent name of the

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destination agent, and agent parameters, which is data provided a field used to pass data among agents (Col. 7, lines 8-9). The identity of an intermediate node may also be included. Therefore, if the source node does not know the exact address of the destination node, it can include the <node-id> and <agent-id> of the destination and of any intermediate node, and the packet will be routed using that information. Each intermediate node may edit the NAPS information if the destination node can be discerned by that intermediate node, using available tables of nodes and agents, and may edit the NAPS information with information about the destination node or a next intermediate node. Each intermediate node sends the packet to a next node (whether intermediate or destination). Blakeley provides no teachings of multicasting a packet.

Applicants respectfully assert that if one were to modify West with the teachings of the Blakeley patent, one would not arrive at the invention as claimed. The West patent chooses an optimal communication method and access path knowing its source and destination addresses. West determines the method and path up front. West would not logically be modified using the Blakeley method of allowing the packet to be randomly routed by intermediate nodes, since that would render West unworkable for its intended purpose of finding the best and cheapest way to deliver the message.

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Moreover, even if one were to modify West with the Blakeley NAPS, one would not arrive at the invention as claimed. Neither Blakeley nor West provides any teachings of a system dynamically creating a list of destinations to which to multicast a retrieval request. Both Blakeley and West are concerned with delivering one packet from a source to one destination node. While a number of recipients may be represented by a destination node in West, there is, nonetheless, only one destination. Clearly, therefore, the combination would not obviate multicasting a message. Neither West nor Blakeley teaches or suggests the dynamic creating of a list of destinations that can respond to the retrieval request, let alone creating such a list based on the nature of the retrieval request and based on non-address destination information provided by the requesting user. The NAPS of Blakeley may not necessarily include the exact address of the destination node and agent, but it does explicitly identify the node and agent. Applicants respectfully assert that even if one were to include the Blakeley NAPS in West, that information would exactly identify the destination node and agent. With the exact destination node and agent information, West would determine the best access method and path for getting the message to the destination node.

Since neither West nor Blakeley teaches or suggests dynamically creating a list of destination mobile agents that can respond to a specific retrieval request, and since neither

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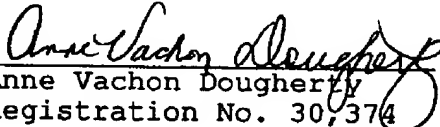


multicasts to such a list, it cannot be maintained that the combination of teachings obviates the invention as claimed.

Based on the foregoing amendments and remarks, Applicants, request entry of the amendments, withdrawal of the rejections, and issuance of the claims.

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